

JUN 16 2008

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CHARLES L. MATICH,

Defendant - Appellant.

No. 07-50508

D.C. No. CR-01-03178-BTM-1

MEMORANDUM \*

Appeal from the United States District Court  
for the Southern District of California  
Barry T. Moskowitz, District Judge, Presiding

Submitted June 12, 2008\*\*  
Pasadena, California

Before: TROTT, WARDLAW and FISHER, Circuit Judges.

Charles Match appeals from the 15-month sentence imposed following his guilty-plea conviction for conspiracy to defraud the Internal Revenue Service, in violation of 18 U.S.C. § 371, and evasion of individual income taxes, in violation of 26 U.S.C. § 7201.

---

\*This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\*The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

In his plea agreement with the government, Matich waived his right to appeal his conviction and sentence unless the district court imposed a custodial sentence greater than the high end of the guideline range (or statutory mandatory minimum term if applicable) recommended by the government at the time of sentencing. The district court did not impose a sentence that would trigger the exception to the appeal waiver. The record reflects that Matich's guilty plea was knowing and voluntary, and that the appeal waiver was unambiguous. *See United States v. Jeronimo*, 398 F.3d 1149, 1157 (9th Cir. 2005). Therefore, we enforce the appeal waiver and dismiss this appeal.

**DISMISSED.**